

FILED

OCT 08 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JACOB MATTHEW SAYDYK,

Petitioner,

v.

MARION E. SPEARMAN,

Respondent.

) Case No. C 14-3897 PSG (PR)

) **ORDER OF TRANSFER**

On August 28, 2014, Jacob Matthew Saydyk, a state prisoner proceeding *pro se*, filed a federal petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. Saydyk seeks habeas relief from his underlying criminal sentence from Shasta County Superior Court, which lies in the Eastern District of California. Venue for a habeas action is proper in either the district of confinement or the district of conviction;¹ however, petitions challenging a conviction or sentence are preferably heard in the district of conviction.² Here, the Eastern District of California is the district of conviction. Accordingly, this case is TRANSFERRED to the Eastern District of California.³

¹ See 28 U.S.C. § 2241(d).

² See Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

³ See 28 U.S.C. § 1404(a).

1 IT IS SO ORDERED.

2 DATED: 10.8.14

Paul S. Grewal
PAUL S. GREWAL
United States Magistrate Judge

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